FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.46 OF 2006

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Advocate Mr.Arvind Purohit for the Petitioner.

CORAM : R.S. MOHITE,J.
DATED : 31/1/2006.

P.C.

1. Heard.

2. This petition impugns an order dated 3.10.2005 passed by the J.M.F.C. Pune rejecting the application for de-exhibiting certain documents. This order was passed on Exh.24 in S.C.C. No.2948 of 2004 pending in the court of J.M.F.C. Court No.4 at Pune. I have perused the impugned order. The Trial court has observed that the complainant had stated in his evidence given in the form of affidavit at Exh.17 that the accused had issued cheque and after dishonour of the cheque demand notice

was issued and the accused received the said notice. The Trial court has observed that there is no provision in the Criminal Procedure Code for de-exhibiting the documents. In the circumstances, petition is dismissed. It is however, made clear that even though the documents are exhibited, it is open for the petitioner to argue that they are not proved in accordance with law.

(R. S. MOHITE, J.)